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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/791,871	03/04/2004	Kazuhiko Yoshida	046601-5129	5247

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EXAMINER
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MORRISON, THOMAS A

ART UNIT	PAPER NUMBER
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3653

DATE MAILED: 07/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/791,871	YOSHIDA ET AL.	
	Examiner	Art Unit	
	Thomas A. Morrison	3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 April 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 14-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>03/04/2004</u> .  | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of claims 1-12 and 14-19 in the reply filed on April 8, 2005 is acknowledged.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, (a) the claimed enclosure set forth in claims 1, 3, 7, 8, 14 and their dependent claims, (b) the claimed another sheet transporting device set forth in claims 1 and 3 and their dependent claims, (c) the claimed first guide part set forth in claims 1, 2, 3, 7, 8, 14 and their dependent claims, (d) the claimed a sheet transporting device set forth in claims 7, 8, 14 and their dependent claims, (e) the claimed sheet ejection unit set forth in claims 10-11, (f) the claimed sheet ejection reversal unit set forth in claims 10-11, and (g) the claimed branch set forth in claim 19 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet,

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and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1 and 3-6 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In particular, the claimed another sheet transporting device is not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

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The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 2, 11-12 and 14-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors. The following rejections are merely exemplary of the indefiniteness problems with the claims. Applicant should review the claims and make the language clear and consistent throughout the claims.

Regarding claim 2, it is unclear what is attached. Is the second guide part or the enclosure attached. Also, it is unclear what the second guide part or the enclosure is attached to.

Regarding claim 11, there is insufficient structure recited in this claim to understand how the sheet reversal ejection unit holds the sheet at a pressure higher than the sheet ejection unit.

Claim 12 recites the limitation "the sheet" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Regarding claim 14, it is unclear if the recited cover part is removed or in place on the enclosure.

Claim 15 recites the limitation "the portion" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Also, it is confusing in claim 15 as to what is meant by the recited "where the part is exposed to the outside of the enclosure **is a vicinity** of a fixing device." (emphasis added).

Regarding claim 16, it is unclear how many fixing units are claimed. Is the recited "a fixing unit" in claim 16 the same or different from the previously recited "a fixing unit" in claim 15?

Claim 17 recites the limitation "the two-sided unit" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Also, it is unclear in claim 17, what is meant by the recited "**construct** a part of a reversal transport passage of the sheet". (emphasis added).

Regarding claim 18, it is unclear which sheet is referred to in line 4. Is this one of the sheets stored in the cassette?

Regarding claim 19, there is insufficient structure recited in this claim to understand how the sheet is reversed.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-12 and 14-19, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Publication No. 10-129912. In particular, Japanese Publication No. 10-129912 discloses all of the limitations of claims 1-12 and 14-19.

Regarding claim 1, Figs. 1-3 and 12-15 show a sheet transporting device including

an enclosure (12) that includes a first guide part (e.g., guide part between 44 and 38 in Fig. 2) at least a part of which can be exposed to outside (near 38),

another sheet transporting device (10) that includes a second guide part (e.g., guide part between 58 and 94 in Fig. 1) at least a part of which is exposed to outside (near 94), and

at least a part of a sheet transporting passage (e.g., a sheet transporting passage extending all the way from 94 past 58 and 52 and then extending past 20, 22, 28 and up to 38) that includes the first guide part and the second guide part, wherein the another sheet transporting device (10) is attached to the enclosure (12)(see Fig. 1).

Regarding claim 2, Figs. 1-3 and 12-15 show a sheet transporting device including

a first guide part (e.g., guide part between 44 and 38 in Fig. 2) at least a part of which can be exposed to outside (near 38), and

a second guide part (e.g., guide part between 58 and 94 in Fig. 1) at least a part of which is exposed to outside (near 94) and which is provided in an enclosure (50) to be attached, wherein at least a part of a sheet transporting passage (e.g., a sheet transporting passage extending all the way from 94 past 58 and 52 and then extending past 20, 22, 28 and up to 38) includes the first guide part and the second guide part.

Regarding claim 3, Figs. 1-3 and 12-15 show a sheet transporting device including

an enclosure (12) that includes a first guide part (e.g., guide part between 44 and 38 in Fig. 2) at least a part of which can be exposed to outside (near 38); and

another sheet transporting device (10) to be attached to the enclosure (12), wherein the another sheet transporting device (10) includes a second guide part (e.g., guide part between 58 and 94 in Fig. 1) at least a part of which is exposed to outside (near 38), and at least a part of a sheet transporting passage (e.g., a sheet transporting passage extending all the way from 94 past 58 and 52 and then extending past 20, 22, 28 and up to 38) includes the first guide part and the second guide part.



Regarding claim 4, the English Abstract discloses that the another sheet transporting device (10) is a two-sided unit which reverses a sheet.

Regarding claim 5, Figs. 1-3 and 12-15 show that the another sheet transporting device (10) is a sheet supply unit which supplies a sheet.

Regarding claim 6, Fig. 12 shows that the another sheet transporting device (10) includes a sheet guide unit (92) which guides a sheet from the enclosure (12).

Regarding claim 7, Figs. 1-3 and 12-15 show an image forming apparatus including

an enclosure (12) that includes a first guide part (e.g., guide part between 44 and 38 in Fig. 2) at least a part of which can be exposed to outside (near 38),

a sheet transporting device (10) that includes a second guide part (e.g., guide part between 58 and 94 in Fig. 1) at least a part of which is exposed to outside (near 94), and

at least a part of a sheet transporting passage (e.g., a sheet transporting passage extending all the way from 94 past 58 and 52 and then extending past 20, 22, 28 and up to 38) includes the first guide part and the second guide part, wherein the sheet transporting device (10) is attached to the enclosure (12).

Regarding claim 8, Figs. 1-3 and 12-15 show an image forming apparatus including

an enclosure (12) that includes a first guide part (e.g., guide part between 44 and 38 in Fig. 2) at least a part of which can be exposed to outside (near 38); and

a sheet transporting device (10) to be attached to the enclosure (12), wherein the sheet transporting device (10) includes a second guide part (e.g., guide part between 58 and 94 in Fig. 1) at least a part of which is exposed to outside (near 94), and at least a part of a sheet transporting passage (e.g., a sheet transporting passage extending all the way from 94 past 58 and 52 and then extending past 20, 22, 28 and up to 38) includes the first guide part and the second guide part.

Regarding claim 9, the numbered paragraph [000018] of the English translation of detailed description of Japanese Publication No. 10-129912 discloses that the enclosure (12) houses at least a fixing device (26 and 28) which fixes a toner image to a sheet.

Regarding claim 10, Figs. 1-3 and 12-15 show that the enclosure (12) further includes a sheet ejection unit (38), the sheet transporting device (10) further includes a sheet reversal ejection unit (including 94) which reverses and ejects the sheet, and the sheet reversal ejection unit (including 94) is more distant from the fixing device (26 and 28) than the sheet ejection unit (including 38).

Regarding claim 11, it is noted that the structure of the sheet reversal ejection unit and the sheet ejection unit of Japanese Publication No. 10-129912 appears to be substantially similar to the structure of the sheet reversal ejection unit and the sheet ejection unit, respectively, of the instant application. Thus, in as much as the sheet

reversal ejection unit of the instant application holds a sheet at a pressure higher than the sheet ejection unit, so does the corresponding sheet reversal ejection unit of Japanese Publication No. 10-129912.

Regarding claim 12, Fig. 12 shows that the sheet transporting device (10) includes a sheet guide unit (92) which guides the sheet from the enclosure (12).

Regarding claim 14, Figs. 1-3 and 12-15 show an image forming apparatus including

an enclosure (12) that includes a first guide part (e.g., guide part between 44 and 38 in Fig. 2) at least a part of which can be exposed to outside (near 38) and which guides a sheet,

a cover part (i.e., cover part of enclosure 12 located on the left side of the apparatus in Fig. 2 and extends between numeral 56 up to numeral 32 and then slants over and extends over to numeral 38) that covers an exposed portion (near 44) of the enclosure (12), and

a sheet transporting device (10) that includes a second guide part (e.g., guide part between 58 and 94 in Fig. 1) at least a part of which is exposed to outside (near 94) and which guides the sheet, in which at least a part of a sheet transport passage (e.g., a sheet transporting passage extending all the way from 94 past 58 and 52 and then extending past 20, 22, 28 and up to 38) includes the first guide part and the second guide part, and the sheet transporting device (10) is attached to the portion where the cover part is removed. In particular, the sheet transporting device (10) is attached to a

portion where an opening (near 44 in Fig. 15) in the cover is located. In other words, the sheet transporting device (10) is attached to a portion where the cover is removed.

Regarding claim 15, Fig. 15 shows that the portion where the part is exposed to the outside (near 44) of the enclosure (12) is a vicinity of a fixing device (26 and 28).

Regarding claim 16, Fig. 2 shows that the first guide part (e.g., guide part between 44 and 38 in Fig. 2) is an outside guide part of a fixing unit (26 and 28).

Regarding claim 17, Figs. 1-2 and the English Abstract disclose that the second guide part (e.g., guide part between 58 and 94 in Fig. 1) is an inside guide provided in the two-sided unit, the outside guide part (e.g., guide part between 44 and 38 in Fig. 2) of the fixing unit (26 and 28) and the inside guide (e.g., guide part between 58 and 94 in Fig. 1) pinch the sheet and construct a part of a reversal transport passage of the sheet.

Regarding claim 18, Figs. 1-2 show a sheet supply cassette (14) which stores sheets (M) is provided at a lower part of the enclosure (12), and a transport passage which supplies the sheet from the sheet supply cassette (14) to the fixing device (26 and 28) is provided.


Regarding claim 19, Fig. 1 shows that the fixing device (26 and 28) is provided at an upper part of the enclosure (12), and a branch (near 96) which reverses the sheet is provided at a part of the transport passage, and communicates with the part of the reversal transport passage.

**Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is (571) 272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh can be reached on (571) 272-6944. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
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